

803 KAR 2:095. Trade secrets.

RELATES TO: KRS 338.171

STATUTORY AUTHORITY: KRS Chapter 13A

NECESSITY, FUNCTION, AND CONFORMITY: Pursuant to the authority granted the Kentucky Occupational Safety and Health Standards Board by KRS 338.051, the following rules and administrative regulations are adopted pertaining to an employer's trade secrets which may be encountered during the course of an inspection. The function of this administrative regulation is to identify the procedure to be followed in protecting the employer's trade secrets.

Section 1. KRS 338.171 states that "all information obtained by the commissioner in connection with any inspection or proceeding under this chapter which might reveal a trade secret shall be considered confidential except that such information may be disclosed to those persons concerned with carrying out this chapter or when relevant in any proceedings under this chapter. In any such proceedings, the commissioner, review commission, or courts shall issue such orders as may be appropriate to protect the confidentiality of trade secrets." (OSH 105; 1 Ky.R. 160; eff. 12-11-74; TAm eff. 8-9-2007; TAm eff. 9-8-2011.)